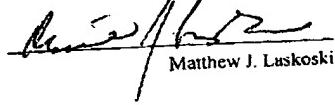


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Matthew J. Laskoski

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

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APR 12 2005

In re Application of

Paul Anthony John Nolan

Art Unit: 2672

Serial No.: 09/802,963

Examiner: Wang, Jin Cheng

Filed: March 12, 2001

For: ALPHA CHANNEL FILTER

**REPLY BRIEF**

To the Commissioner of Patents and Trademarks

Sir:

In response to the Examiner's Brief, dated March 25, 2005, kindly consider the following:

The Examiner's comments indicate that the Examiner is requiring an Appeal Brief under the old rules rather than the new format dictated by the Rule changes effective September 13, 2004. See, for example, rule changes published in the USPTO OG Notices of September 7, 2004. Further, see, paragraph (9) that clearly provides:

(9) The grouping of claims requirement set forth in former Rule 192(c)(7) is removed. The general purpose served... is addressed in ... Sec. 41.37(c)(1)(viii). The existing grouping of claims requirement has led to many problems... (i)... (ii)... (iii) examiners disagreeing with the appellant's grouping of claims.  
(emphasis supplied).

In the present case, the Examiner has objected to the Applicant's statement that all do not stand or fall together. However, such a statement is no longer required. Each claim is distinct

and unique and, therefore, they do not stand or fall together. The Applicant's separate arguments for each claim emphasize this point.

The Examiner has misinterpreted the alpha channel pixels. On page 24 of the Examiner's Brief, the Examiner states, "The Examiner interprets the alpha channel pixels as the modified pixels carrying the alpha information from the alpha channel or the alpha values associated with the destination pixels." However, Long teaches the use of the modified pixels and the destination pixels only as a means of changing discrete brushstrokes. The modified pixels and destination pixels are not the same as the alpha channel pixels of the Applicant's invention.

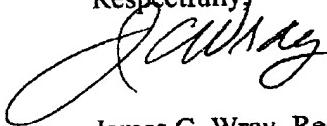
As stated previously, Long does not teach a method where modification of the alpha channel values can happen at any point. Long only teaches modifications in a discrete, complete stroke.

Thus, the Applicant's invention is patentable under 35 U.S.C. 102(b), 102(e), and 103(a).

## CONCLUSION

Reversal of the Examiner and allowance of all the claims are respectfully requested.

Respectfully,



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